



TOWN OF UNDERHILL

Development Review Board

BETSY EVANS
SKETCH PLAN REVIEW
Docket #: DRB-20-03

Applicant(s):	Betsy Evans (on Behalf of Edgmont House, LLC)
Consultant(s):	Unity Homes
Property Location:	8 Edgmont Road (ED008)
Acreage:	±118 Acres
Zoning District(s):	Water Conservation and Soil & Water Conservation

Project Proposal:	Sketch Plan Review of Betsy Evans, on Behalf of Edgmont House, LLC, for a proposed 2-Lot Subdivision of property located at the aforementioned address (see Exhibit F).
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2018 UNDERHILL UNIFIED LAND USE & DEVELOPMENT REGULATIONS RELEVANT REGULATIONS:

- Article II, Table 2.5 – Water Conservation (pg. 18)
- Article II, Table 2.4 – Soil & Water Conservation (pg. 24)
- Article III, Section 3.2 – Access (pg. 30)
- Article III, Section 3.7 – Lot, Yard & Setback Requirements (pg. 38)
- Article III, Section 3.9 – Nonconforming Structures (pg. 40)
- Article III, Section 3.13 – Parking, Loading & Service Areas (pg. 44)
- Article III, Section 3.17 – Source Protection Areas (pg. 55)
- Article III, Section 3.18 – Steep Slopes (pg. 56)
- Article III, Section 3.19 – Surface Waters & Wetlands (pg. 63)
- Article III, Section 3.23 – Water Supply & Wastewater Systems (pg. 68)
- Article VI – Flood Hazard Area Review (pg. 127)
- Article VII, Section 7.2 – Applicability (pg. 139)
- Article VII, Section 7.3 – Sketch Plan Review (pg. 141)
- Article VIII – Subdivision Standards (pg. 150)
- Appendix A – Underhill Road, Driveway & Trail Ordinance

CONTENTS:

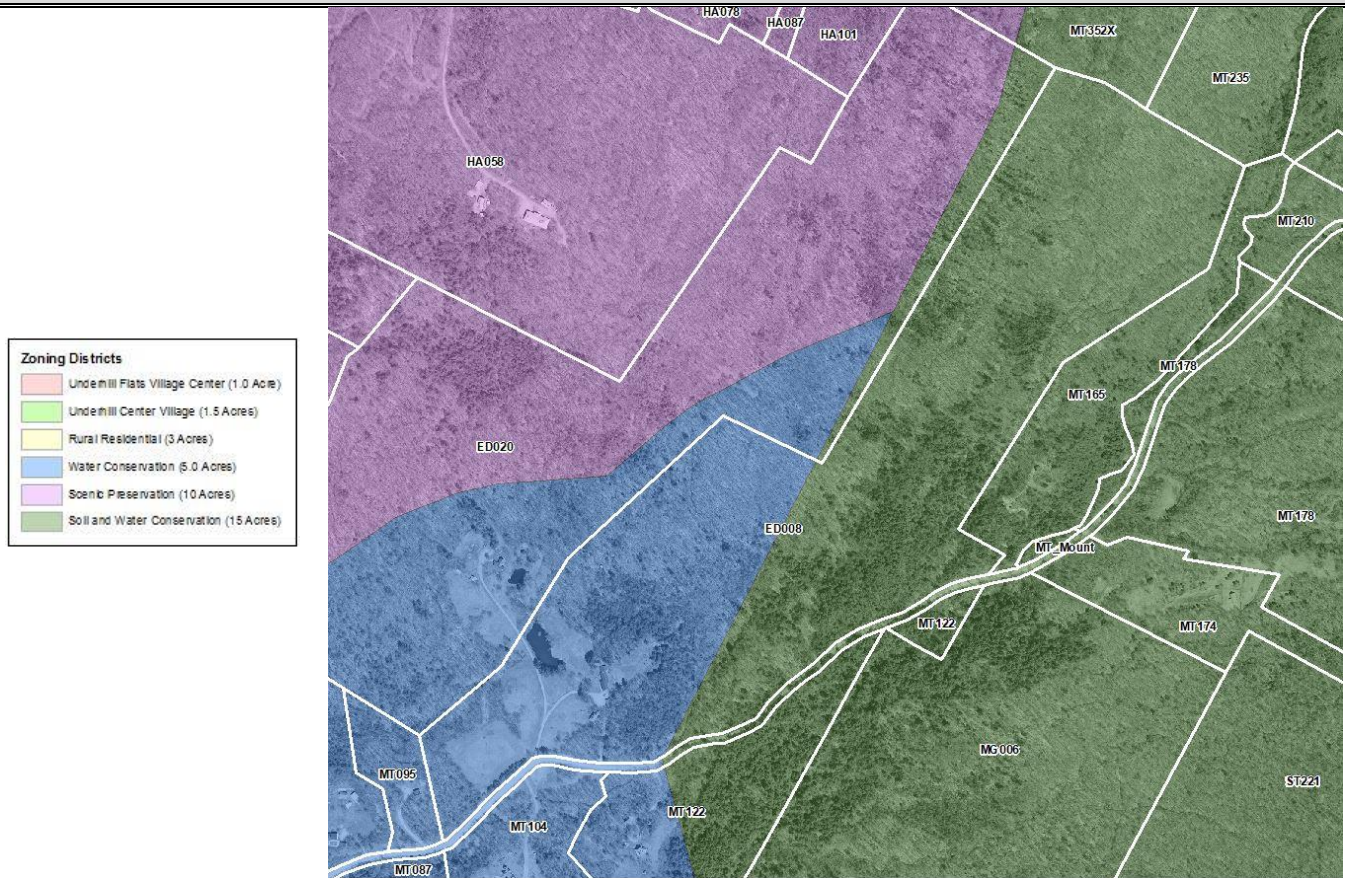
- a. Exhibit A - Evans Sketch Plan Review Staff Report
 - b. Exhibit B - Evans (ED008) Sketch Plan Review Meeting Procedures
 - c. Exhibit C - Subdivision Review Application
 - d. Exhibit D - Project Proposal
 - e. Exhibit E - Certificate of Service
 - f. Exhibit F - Proposed Subdivision
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COMMENTS/QUESTIONS

1. **GENERAL COMMENT:** No major issues identified at this time. Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development conforms with the purpose statement of this district.
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STAFF FINDINGS OF RELEVANT SECTIONS

ARTICLE II – ZONING DISTRICTS



	Water Conservation	Soil & Water Conservation	Proposed Lot Lot 1B (SFD)	Proposed Lot 1B
Lot Size:	5.0 Acres	15.0 Acres	~98.0 Acres	~20.0 Acres
Frontage:	300 ft.	400 ft.	TBD	TBD
Setbacks:				
• Front West	30 ft.	30 ft.	TBD	TBD
• Side 1 North	50 ft.	75 ft.	TBD	TBD
• Side 2 South	50 ft.	75 ft.	TBD	TBD
• Rear West	50 ft.	75 ft.	TBD	TBD
Max. Building Coverage:	20%	7%	TBD	TBD
Max. Lot Coverage:	30%	10%	TBD	TBD
Maximum Height:	35 ft.	35 ft.	TBD	TBD

TABLE 2.5 – WATER CONSERVATION

PG. 18

Purpose Statement: The purpose of the Water Conservation District is to protect the important gravel aquifer recharge area in Underhill Center.

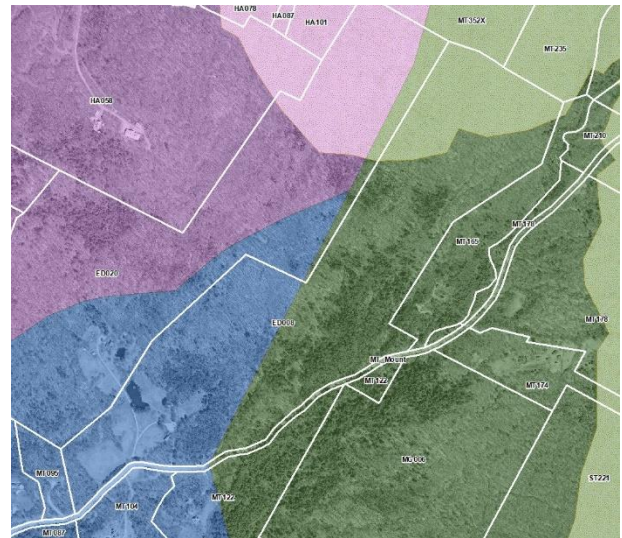
- The proposal includes the subdivision of a ±118 acre parcel of land into two lots – a ±98 acre lot and a ±20 acre lot (see Exhibit F), which conforms with the goal of obtaining medium density development in this district.
- The parent lot contains a shared driveway, Edgemont Road, that serves 6 and 8 Edgemont Road (a single-family dwelling and an accessory dwelling), as well as 20 Edgemont Road (contains a single-family dwelling).
- The proposed lot will assumedly be accessed by its own driveway from Mountain Road.
- The proposed lot appears to be configured in a way that will be located in both the Water Conservation and Soil & Water Conservation zoning districts.
- The intent of the proposed lot is assumedly for a single-family dwelling.
- Should the single-family dwelling be built in the Water Conservation District, the obtainment of a wastewater/water permit would satisfy the presumption that there would be no adverse effects to the underlying gravel aquifer.

TABLE 2.7 – SOIL & WATER CONSERVATION

PG. 24

Purpose Statement: This District includes significant headwater and aquifer recharge areas, unique and fragile natural areas, critical wildlife habitat, and mountainsides and ridges characterized by steep slopes and shallow soils. The purpose of this district is to protect Underhill's more remote and inaccessible forested upland areas from fragmentation, development, and undue environmental disturbance, while allowing for the continuation of traditional uses such as forestry, outdoor recreation, and compatible development.

- The proposed lot appears to be configured in a way that will be located in both the Water Conservation and Soil & Water Conservation zoning districts.
- Should the construction of a single-family dwelling occur in the Soil & Water Conservation District of this lot the impact would be low, and consistent with nearby development.
- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development conforms with the purpose statement of this district.
- The northern area of the lot contains area above 1500 ft. in elevation (see directly to the right), where all new development is prohibited. New development is NOT anticipated to be proposed or located in this area.



ARTICLE III – GENERAL REGULATIONS

SECTION 3.2 – ACCESS

PG. 30

- The parent lot contains a shared driveway, Edgemont Road, that serves 6 and 8 Edgemont Road (a single-family dwelling and an accessory dwelling), as well as 20 Edgemont Road.
- The proposed lot will assumedly be accessed by its own driveway from Mountain Road.

- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development driveway conforms with the requirements of this Section.
- An access permit will be required, and shall be submitted with the final subdivision review application.
 - *NOTE:* A shared maintenance agreement shall be submitted as part of the preliminary subdivision review application should the lot be served by Edgemont Road.

SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS

PG. 38

- One principal use/structure is expected for the parent lot, which will retain the existing house – a single-family dwelling.
 - *NOTE:* The parent lot also contains an accessory dwelling unit.
- One principal use/structure is assumed for the newly create lot – a single-family dwelling.
- The proposed lot will need to satisfy the frontage requirement of the Soil & Water Conservation District – 400 ft.
- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development driveway conforms with the requirements of this Section.

SECTION 3.13 – PARKING, LOADING & SERVICE AREAS

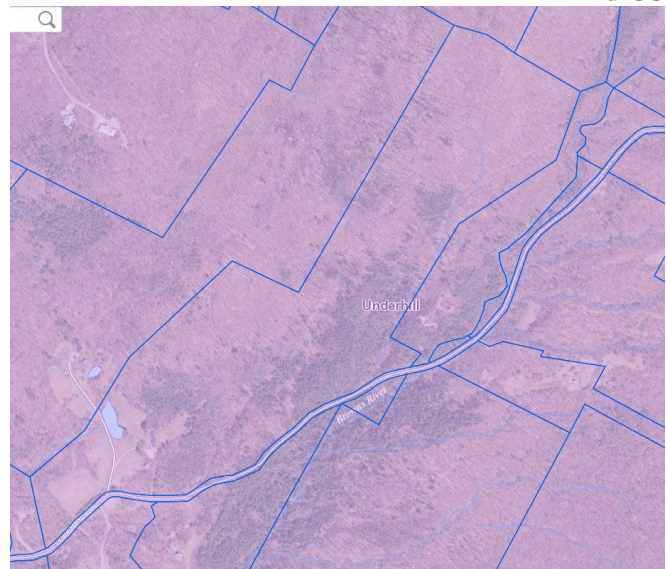
PG. 44

- The lot retaining the house presumably satisfies the parking requirement for a single-family dwelling – 2 parking spaces per dwelling, and an accessory dwelling – 1 parking space per dwelling.
- The proposed parking area for the proposed lot shall be designed for two parking spaces for assumedly a single-family dwelling.
 - Parking requirements for single-family dwellings and accessory dwellings have been typically verified at the building permit phase of development.

SECTION 3.17 – SOURCE PROTECTION AREAS

PG. 55

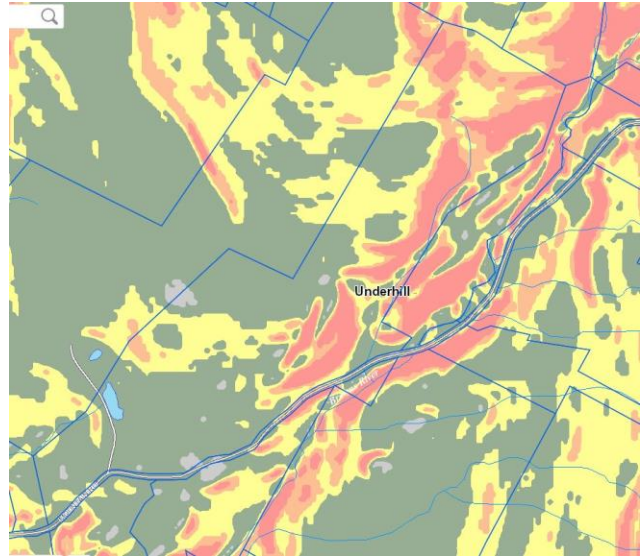
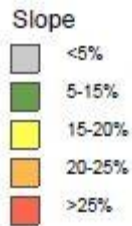
- The subject lot is located entirely within the Groundwater Source Protection Area.
- Avoiding the siting of an assumed single-family dwelling outside of this Source Protection Area is not feasible; however, single-family dwellings are exempt from requiring additional review under this Section per § 3.17.B.



SECTION 3.18 – STEEP SLOPES

PG. 56

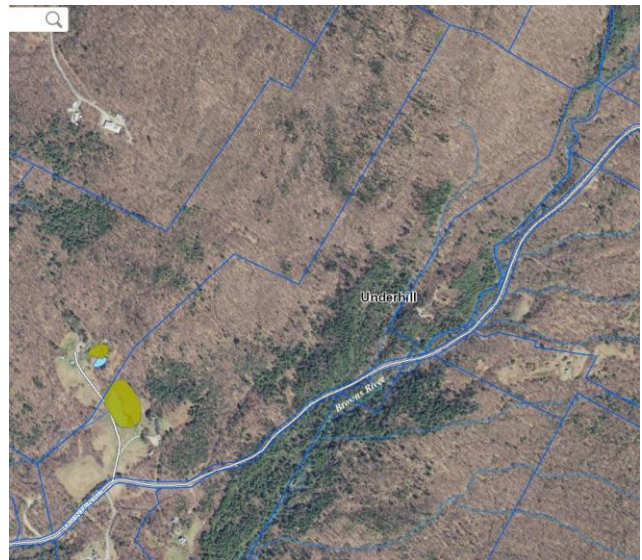
- Areas of steep slopes (15-25%) and very steep slopes (>25%) are present on the existing lot (see directly to the right).
- The proposed lot will contain areas of steep slopes and very steep slopes.
- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development driveway conforms with the requirements of this Section.



SECTION 3.19 – SURFACE WATERS & WETLANDS

PG. 63

- An unnamed stream is located on the parent lot, which feeds the Brown's River.
- The unnamed stream does not appear to bisect the proposed new lot, and therefore, no development is likely to be proposed within the stream's vicinity.
- A pond and unnamed stream are located within the vicinity of the existing single-family dwelling, which will stay with the parent lot.
 - Staff is unaware of any new development in this area.
- An area of wetlands is located in the area where the pond is located, and not in the vicinity of the proposed new lot; therefore, any new development associated with the proposed new lot is not anticipated to impact any wetlands or associated buffers.



SECTION 3.23 – WATER SUPPLY & WASTEWATER SYSTEMS

PG. 68

- The Applicant will need to submit either a Wastewater System & Potable Water Supply Permit, or submit a Wastewater System design, during the preliminary subdivision application phase of the project.

ARTICLE VI – FLOOD HAZARD AREA REVIEW

- No Special Flood Hazard Areas were depicted on the existing lot according to the ANR Website; therefore, review under this section is not required.

ARTICLE VII – SUBDIVISION REVIEW

SECTION 7.2 – APPLICABILITY

PG. 139

- The Applicant is proposing a 2-Lot subdivision that meets the requirements of Section 7.2.E.1.a.
- Staff recommends that the project be classified as a minor subdivision.

SECTION 7.3 – SKETCH PLAN REVIEW

PG. 141

- See Exhibit D pertaining to the purpose statement for Sketch Plan Review.
- The Applicant has submitted the necessary materials for the Board to make a decision about the application.

ARTICLE VIII – SUBDIVISION STANDARDS

SECTION 8.1 – APPLICABILITY

SECTION 8.1.B – REQUEST FOR MORE INFORMATION

PG. 150

- Technical review is not required at this time.

SECTION 8.1.C – FINDINGS OF FACT

PG. 150

- Findings of fact are not required at this stage of the subdivision review process.

SECTION 8.1.D – MODIFICATIONS & WAIVERS

PG. 150

- The Applicant has not requested any additional modifications or waivers at this time.

SECTION 8.2 – GENERAL STANDARDS

SECTION 8.2.A – DEVELOPMENT SUITABILITY

PG. 151

- No unforeseen undue adverse impacts to the public health, safety or the character of the area in which the proposed development is located are anticipated.
- The Applicant has not expressed any intention of setting aside land as open space that would be excluded from subsequent development lands that periodically flood, have poor drainage, contain very steep slopes (>25%), or have other known hazards, or that is otherwise not suitable to support structures or infrastructure.

SECTION 8.2.B – DEVELOPMENT DENSITY

PG. 151

- The proposed subdivision appears to meet the density requirements of this Section.

SECTION 8.2.C – EXISTING SITE CONDITIONS

PG. 151

- The proposed subdivision does not appear to be adverse to, or has the propensity to avoid, any or all of the existing site features or natural resources listed in this subsection, other than prime agricultural soils (see § 8.3.F below).

SECTION 8.2.D – UNDERHILL TOWN PLAN & REGULATIONS

PG. 152

- The proposed project appears to conform to the *Underhill Town Plan* and the *Underhill Unified Land Use & Development Regulations*.

SECTION 8.2.E – DISTRICT SETTLEMENT PATTERNS

PG. 152

Rural Districts. Subdivisions within the Rural Residential, Water Conservation and Scenic Preservation Districts shall be designed and configured to reinforce the rural character and historic working landscape of these districts, characterized by forested hillsides and hilltops, open fields, and moderate to low densities of

- The proposed project appears to conform with the Rural Districts settlement patterns outlined in Section 8.2.E.1 (see directly to the left).

residential development interspersed with large contiguous tracts of undeveloped land. Lots shall be configured to maintain contiguous tracts of open land between adjoining parcels.

Soil and Water Conservation District.

Subdivisions within the Soil & Water Conservation District shall be designed and configured to avoid undue adverse impacts to existing forest resources and environmentally sensitive upland areas, including watersheds and significant wildlife habitat and travel corridors, and to maintain traditional land uses including forestry and outdoor recreation. To the extent physically feasible, fragmentation of productive forest lands and significant wildlife habitat shall be avoided, and lots shall be configured to maintain contiguous tracts of open land between adjoining parcels. Lots created for the purpose of constructing dwellings or other structures in this district shall not result in development of environmentally sensitive areas identified in the town plan or through site investigation, as specified in Section 8.3.

- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed development and driveway will conform with the requirements of the Soil & Water Conservation District as described on the left.
 - Specifically, Staff will be able to confirm if the assumed development – a single-family dwelling – and its location will conform to the last sentence.

SECTION 8.2.F – LAYOUT

PG. 153

- The proposed subdivision appears to conform with the requirements of this section.

SECTION 8.2.G – BUILDING ENVELOPES

PG. 153

- The Applicant has not identified a proposed building envelope, and should do so prior to submitting plans for the preliminary subdivision review hearing.

SECTION 8.2.H – SURVEY MONUMENTS

PG. 153

- No findings.

SECTION 8.2.I – LANDSCAPING & SCREENING

PG. 153

- No findings.

SECTION 8.2.J – ENERGY CONSERVATION

PG. 154

- No findings.

SECTION 8.3 – NATURAL CULTURAL RESOURCES

SECTION 8.3.A – RESOURCE IDENTIFICATION & PROTECTION

PG. 154

- No information pertaining to, nor has any identification relating to, significant cultural and natural features necessitating protection has been submitted for consideration.

SECTION 8.3.B – SURFACE WATERS, WETLANDS & FLOODPLAINS

PG. 155

- See Section 3.19 and Article VI above for more information.


SECTION 8.3.C – ROCK OUTCROPS, STEEP SLOPES, HILLSIDES & RIDGELINES

PG. 155

- See Section 3.18 above for more information.

SECTION 8.3.D – NATURAL AREAS & WILDLIFE HABITAT

PG. 156

- A priority level 10 habitat block is located on, and almost entirely comprises, the existing lot (see directly to the right on the next page).
 - The ANR Atlas has NOT identified a deer wintering area on the subject property.
 - The ANR Biofinder has identified the following priority characteristics:
 - Priority Natural Community (located towards the northern end of the parent lot);
 - Highest Priority Aquatic Habitats (located towards the northern end of the parent lot);
 - Highest Priority Wetland (located where the identified pond is);
 - Highest Priority Terrestrial Wildlife Crossing (located along Mountain Road);
 - Priority Terrestrial Wildlife Crossing (located at the intersection of Edgemont Road and Mountain Road);
 - Highest Priority Wildlife Road Crossings (located along Mountain Road and along the driveway serving 20 Edgemont Road at the pond);
 - Priority Rare & Uncommon Species (located in the vicinity of where Brown's River and the Unnamed Stream meet with Mountain Road);
 - Highest Priority Forest Block (same location as the identified forest block on the right);
 - Highest Priority Connectivity Block (same location as the identified forest block on the right);
- 
- Highest Priority Surface Water and Riparian Area (located in the vicinity of where Brown's River and the Unnamed Stream meet with Mountain Road, as well as the unnamed stream connecting to the pond and the pond itself);
 - Riparian Wildlife Connectivity (located in the vicinity of where Brown's River and the Unnamed Stream meet with Mountain Road, as well as the unnamed stream connecting to the pond and the pond itself);
 - Representative and Responsibility Physical Landscape Diversity (same location as the identified forest block on the right);

SECTION 8.3.E – HISTORIC & CULTURAL RESOURCES

PG. 157

- Staff is unaware of any historic and cultural resources located on the existing lot.

SECTION 8.3.F – FARMLAND

PG. 157

- An area of statewide agricultural soils is located on the lot (see directly above) and is already located in an area that has been impacted by previous development.
- The proposed new lot does not appear to impact this area.

	Local
	Local (b)
	Not rated
	Prime
	Prime (b)
	Prime (f)
	Statewide
	Statewide (a)
	Statewide (b)
	Statewide (c)



SECTION 8.3.G - FORESTLAND

PG. 158

- The proposed new lot appears to be in an area that is entirely comprised by forest, and therefore, any proposed development will inevitably result in the clearing of forest.

SECTION 8.4 – OPEN SPACE & COMMON LAND

SECTION 8.4.A – OPEN SPACE

PG. 159

- The Applicant has not proposed to designate any land as open space.

SECTION 8.4.B – COMMON LAND

PG. 160

- The Applicant has not proposed to designate any land as common land.

SECTION 8.4.C – LEGAL REQUIREMENTS

PG. 160

- No findings.

SECTION 8.5 – STORMWATER MANAGEMENT EROSION CONTROL

PG. 160

- No findings at this time.

SECTION 8.6 – TRANSPORTATION FACILITIES

SECTION 8.6.A – ACCESS & DRIVEWAY

PG. 162

- Upon the submission of engineering plans, Staff will have a better understanding of how the proposed driveway will conform to the requirements of this Section.

SECTION 8.6.B – DEVELOPMENT ROADS

PG. 164

- This subsection does not apply.

SECTION 8.6.C – PARKING FACILITIES

PG. 167

- This subsection does not apply.

SECTION 8.6.D – TRANSIT FACILITIES

PG. 167

- This subsection does not apply.

SECTION 8.6.E – PEDESTRIAN ACCESS

PG. 167

- This subsection does not apply.

SECTION 8.7 – PUBLIC FACILITIES & UTILITIES

SECTION 8.7.A – PUBLIC FACILITIES

PG. 168

- An undue burden on existing and/or planned public facilities is not anticipated.
- Comments from the Mt. Mansfield Union School District will be solicited during the Preliminary/Final Subdivision Review process.

SECTION 8.7.B – FIRE PROTECTION

PG. 168

- An undue burden on the Underhill-Jericho Fire Department is not anticipated.
- Comments from the Underhill-Jericho Fire Department will be solicited during the Preliminary/Final Subdivision Review process.

SECTION 8.7.C – WATER SYSTEMS

PG. 168

- See Section 3.23 Above.

SECTION 8.7.D – WASTEWATER SYSTEMS

PG. 169

- See Section 3.23 Above.

SECTION 8.7.D – UTILITIES

PG. 169

- No findings.

SECTION 8.8 – LEGAL REQUIREMENTS

PG. 170

- The Applicant should submit draft deeds prior to the Preliminary/Final Subdivision Review hearing.

APPENDIX A – ROAD & DRIVEWAY STANDARDS

- The Applicant should provide information relating to the access way at the time of the preliminary subdivision review hearing, at which time Staff will provide a more detailed assessment.
- An access permit application shall be submitted at the time of the final subdivision review hearing.